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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/756,912	01/13/2004	Yukikazu Yatabe	5267-75	3731

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EXAMINER

HAM, SEUNGSOOK

ART UNIT PAPER NUMBER

2817

DATE MAILED: 02/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/756,912	Applicant(s) YATABE ET AL.	
	Examiner Seungsook Ham	Art Unit 2817	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 7/10/04, 1/13/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, line 7, "the arranging direction" lacks antecedent basis. Moreover, in claim 1, lines 6-7, "a pair of dielectric substrates...in the arranging direction of said resonators" is vague and indefinite as to what forms resonators (e.g., are resonators are formed by a pair of dielectric substrates, or resonators are separately formed apart from the pair of dielectric substrate?).

In claim 5, "wherein said dielectric substrate having the joint surface formed with said slot **has a width greater than** that of the other dielectric substrate" appears to be misleading since the other dielectric substrate 32 (see fig. 3) does not have a slot to compare the size with the slot in the dielectric substrate 31.

In claim 6, it is unclear as to how input and output sections are structurally related to the waveguide-type dielectric filter recited in claim 1.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Arakawa (EP 0856902 A2, insofar as understood).

Arakawa (figs. 1 and 2) discloses a waveguide-type dielectric filter comprising: a dielectric block includes a pair of dielectric substrates (the dielectric blocks that form the resonators, 1a, 1b) which is divided an arranging direction of resonators 1a, 1b and joined together, and a slot/coupling-adjustment hole 2 formed in each of joint surfaces to provide the coupling portion between the adjacent resonators.

Regarding claims 4 and 5, Arakawa (fig. 8) also shows a slot 2a is formed in only one of the joint surfaces. Thus, the slot in the dielectric substrate 1a has "a greater width" than the other dielectric substrate 1b.

Regarding claim 6 (insofar as understood, Arakawa (fig. 13) shows input and output sections 4a, 4b, a conductive film (the conductive film surrounding 71a, 72a) formed between the join surfaces. It is inherent that the conductive film provides a coupling portion for input or output section since the conductive film adjust the resonators 1a, 1b that are coupled to input and output sections 4a, 4b.

Claims 1-3 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Yasuda (JP 61-156903 A, insofar as understood).

Yasuda (fig. 1) discloses a dielectric filter comprising: a dielectric block 22 includes a pair of dielectric substrates 26A 26B which is divided an arranging direction of resonators 24A-24C and joined together, and a slot 41a formed in each of joint surfaces 25 to provide the coupling portion between the adjacent resonators.

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Regarding claim 6, Yasuda (fig. 6) also discloses a conductive film 56A, 56B, 57A, 57B formed between the join surfaces 55 to provide a coupling portion of an input or output section 47, 48.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Arakawa et al. (US '764) discloses a waveguide-type filter having a plurality of slots for adjusting the coupling between resonators; and


Snygg et al. (fig. 7) discloses a waveguide-type dielectric filter having two dielectric substrates joined together through slots.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Seungsook Ham whose telephone number is (571) 272-2405. The examiner can normally be reached on Monday-Thursday, 8:00AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pascal can be reached on (571)-272-1769. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Seungsook Ham
Primary Examiner
Art Unit 2817

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